United Nations

A/60/835

General Assembly

Distr.: General
1 May 2006

Original: English

Sixtieth session
Agenda item 112 (e)
Elections to fill vacancies in subsidiary organs and other elections: election of 47 members of the Human Rights Council

Note verbale dated 12 April 2006 from the Permanent Mission of Malaysia to the United Nations addressed to the Secretariat

The Permanent Mission of Malaysia to the United Nations presents its compliments to the Secretariat of the United Nations and has the honour to inform the latter that the Government of Malaysia has decided to present its candidature to the Human Rights Council at the elections to be held on 9 May 2006.

06-33557 (E) 030506

Annex to the note verbale dated 12 April 2006 from the Permanent Mission of Malaysia to the United Nations addressed to the Secretariat

28 April 2006

The Permanent Mission of Malaysia to the United Nations presents its compliments to the Secretariat of the United Nations and, with reference to its note dated 12 April 2006 informing the Secretariat of the candidature of Malaysia to the Human Rights Council, has the honour to enclose herewith an aide-memoire detailing Malaysia's voluntary pledges and commitments in accordance with resolution 60/251 of 15 March 2006 (see enclosure).

The Permanent Mission of Malaysia highly appreciates the kind assistance of the Secretariat in posting the enclosed aide-memoire on Malaysia's candidature to the Human Rights Council on the General Assembly website.

Enclosure

Malaysia's candidature to the Human Rights Council

Aide-memoire

1. Malaysia, a member of the Commission on Human Rights prior to its being dissolved, is seeking election to the new Human Rights Council at the elections to be held by the United Nations General Assembly on 9 May 2006.

2. Malaysia, since attaining independence in 1957, upholds the promotion and protection of all human rights as an indispensable aspect in the process of nation-building. Consistent with the Universal Declaration of Human Rights, successive Malaysian Governments have made the guarantee of the individual's fundamental rights and liberties, as enshrined in the Constitution, the cornerstone of their policies and programmes, while noting that all individuals have duties and responsibilities to the community to ensure the continued enjoyment of peace, stability and prosperity.

3. The respect that the Malaysian Government has for each individual's rights is clearly manifested in the fact that free, fair and peaceful general elections have been held consistently without fail since independence for the people to elect their representatives to the various branches of Government within the nation's democratic system. Universal suffrage has been a principal feature in each election.

4. Another manifestation of the importance that the Government attaches to the enjoyment of all human rights and fundamental freedoms is the promotion of a free media, including in cyberspace, as well as the encouragement of vibrant and active civil societies.

5. As a nation with a multi-ethnic and multi-religious society, Malaysia is confident that its experience in managing a plural society would bring an important dimension to the work of the new Human Rights Council. Malaysia recognizes that the stability of any multi-ethnic society depends on a spirit of mutual tolerance and respect for diversity which is based on an inclusive and responsive political and legal system, which balances civil and political rights such as the freedom of expression and opinion and the wider needs of such a society.

6. Laws, regulations and institutions related to human rights in Malaysia continue to evolve in step with the increasing aspirations of a democratic society. One of the measures was the establishment of the National Commission on Human Rights (SUHAKAM) in 1999. SUHAKAM monitors human rights developments in Malaysia and is entrusted inter alia with powers to investigate complaints regarding alleged human rights violations. Over and above its investigative function, SUHAKAM is also active in promoting a culture of human rights, particularly through education not only in schools but also within Government institutions, such as the police force. SUHAKAM is also involved in activities at the regional and international levels.

7. The increasing threat posed by terrorism worldwide has highlighted the importance of balancing security concerns with the preservation of individual liberties. Malaysia believes that it has achieved this balance, drawing on its experience in combating the armed insurgency by forces aiming to dismantle the democratic government in the early years of its independence. The events of September 11 have also given rise to the misperception that democracy and human

rights are incompatible with Islam and countries in which Islam is the dominant religion. Malaysia's record in this regard disproves this misperception. These achievements would not have been possible if individual rights and freedoms were not respected.

8. Beyond civil and political rights, the Malaysian Government has also sought to fulfil its responsibilities with regard to economic, social and cultural rights. As an example of this commitment, the Malaysian Government has consistently allocated the largest proportion of the annual budget to education. Having achieved many of the goals set out in terms of primary education, the Government is now endeavouring to expand the tertiary education system, not only as a means of strengthening the right to education but also in order to better equip Malaysians to meet the challenges posed by globalization.

9. Malaysia is fully aware that good governance, integrity in the public sector and transparency in the Government's activities are essential if the goals of full enjoyment of human rights and fundamental freedoms are to be achieved. Towards this end, the National Integrity Plan was launched on 23 April 2004, which aims, among others, to:

(a) Continuously and effectively combat and reduce the incidence of corruption, malpractices and abuse of power;

(b) Enhance efficiency in the delivery system of the civil service and to reduce unnecessary inefficiencies;

(c) Improve corporate governance and business ethics;

(d) Strengthen the family institution.

10. To ensure that these aims are achieved, the Government formed the Malaysian Integrity Institute, whose functions include:

(a) Undertaking research and conducting training and education pertaining to community and institutional integrity;

(b) Developing a database on ethics and integrity;

(c) Formulating policies to enhance ethics and integrity as well as advising the Government on programmes to enhance integrity;

(d) Continuously monitoring and ensuring the implementation of the Plan.

11. Malaysia will continue to take proactive and innovative measures to further promote and protect human rights and fundamental freedoms in the country.

12. At the international level, Malaysia has been a member of the Commission on Human Rights for four terms, and was a member of that body for the term 2005-2007 when the Commission on Human Rights was dissolved, to be replaced by the Human Rights Council. As an active and committed member of the Commission, Malaysia has contributed constructively in its deliberations. Malaysia is determined to continue to do so in the work and activities of the newly established Human Rights Council if elected to the membership.

13. Malaysia believes that the new Human Rights Council has an important role to play in the universal promotion and protection of human rights and in ensuring the effective enjoyment by all of all human rights. In order to achieve these lofty goals,

the Human Rights Council needs to be made strong, fair, effective and efficient, and free of acrimony and undue politicization.

14. Towards this end, Malaysia pledges to:

(a) Engage constructively in evolving modalities of work of the Human Rights Council with the aim of making it a strong, fair, effective, efficient and credible vehicle for the promotion and protection of human rights worldwide;

(b) Support the work of the Office of the United Nations High Commissioner for Human Rights;

(c) Continue to participate actively in the norm-setting work of the Human Rights Council;

(d) Work towards fostering a spirit of cooperation in the Human Rights Council, free from acrimony and politicization, based on the principles of mutual respect and dialogue;

(e) Promote greater coherence between the work of the Human Rights Council with other United Nations agencies and actors in achieving internationally agreed targets and goals, such as the Millennium Development Goals and those contained in the Vienna Declaration and Plan of Action, the Beijing Declaration and Platform for Action, the Copenhagen Declaration and Plan of Action as well as the Cairo Declaration and Programme of Action;

(f) Actively support international action to advance the rights of vulnerable groups such as women, children and the disabled.